

**REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission of the City of Kyle, Texas met in regular session February 26, 2013 at 6:30 p.m. at Kyle City Hall, with the following persons present:

Commissioner Cicely Kay
Commissioner Alfred Zambrano
Commissioner Mike Fulton
Chairman Dan Ryan
Commissioner Michele Christie
Director of Planning, Sofia Nelson

Lila Knight
Tim Miller

CALL MEETING TO ORDER

Chairman Ryan called the meeting to order at 6:30 p.m.

ROLL CALL OF BOARD

Chairman Ryan called for roll call. Commissioners Fernandez and Rubsam were absent. Commissioner Zambrano was absent from Roll Call.

CITIZENS COMMENTS

Chairman Ryan opened the citizens comment period at 6:30 pm and called for comments on items not on the agenda or posted for public hearing. There were no comments. Chairman Ryan closed the citizens comment period at 6:31 pm.

MINUTES: Planning and Zoning Commission Meeting – February 26, 2013.

Commissioner Fulton moved to approve the Planning and Zoning Commission Meeting Minutes from February 26, 2013. Commissioner Christie seconds the motion. All votes aye. Motion carried.

CONSENT AGENDA

POST OAK SUBDIVISION PHASE 5A (FP-13-005) 15.411 ACRES; 72 LOTS LOCATED OFF OF E. RR 150 WITHIN THE POST OAK SUBDIVISION (EXTENSION OF LANGELY, GODDARD AND WALLOPS STREETS).

(Note: Statutory Disapproval (Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in Sections 12.03.001, 12.05.004, 12.06.04 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Statutory disapproval in order to meet statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission).

Commissioner Fulton moved to approve the consent agenda. Commissioner Christie seconds the motion. All votes aye. Motion carried.

COMPREHENSIVE MASTER PLAN:

Consider the following proposed amendments to the Comprehensive Master Plan:

- Recommendations for which future land use districts should allow the recently adopted Neighborhood Commercial and Community Commercial Zoning Designations as well as updates to the zoning districts recommended for each future land use district.
- An amendment to the future land use map to include a proposal for a new regional node within the I-35 and Center Street area.

Chairman Ryan opened the (2nd of 2) public hearings at 6:39 p.m. and called for comments for or against the proposed amendments to the Comprehensive Master Plan. Lila Knight addressed the Commission stating that she believes that Retail Services as Conditional is perfect for the New Settlement area. Tim Miller addressed the Commission stating his concerns with future development for Opal Lane. Mr. Miller also stated that he would like to see roundabouts on Opal Lane. Chairman Ryan closed the public hearing at 6:43 p.m.

Commissioner Zambrano arrived at 6:43 p.m.

Commissioner Kay moved to approve with the conditions that the proposed amendments to the Comprehensive Plan presented by the Long Range Planning Committee as well as Commissioner Kay's additional comments discussed including instead of RS not being recommended for New Settlement and being conditional also, for the amendment to include a new regional node within the I-35 and Center Street area. Commissioner Fulton seconds the motion. Commissioners Kay, Zambrano, Fulton, and Christie vote aye. Chairman Ryan votes nay. Motion carried.

CODE AMENDMENT:

Consider an amendment to Article V – Landscaping and Screening Requirements to add Section 53-995 Tree Ordinance to the City of Kyle, Code of Ordinances.

Commissioner Fulton left the Dias at 6:45 p.m. and returned at 6:45 p.m.

Chairman Ryan opened the public hearing at 6:45 p.m. and called for comments for or against the an amendment to Article V – Landscaping and Screening Requirements to add Section 53-995 Tree Ordinance to the City of Kyle, Code of Ordinances. Tim Miller stated that he was in opposition of the proposed tree ordinance as written. Lila Knight stated that the State Legislature is considering new regulation for City's authority to regulate trees. Chairman Ryan closed the public hearing at 6:53 p.m.

Commissioner Fulton left the Dias at 6:55 p.m. and returned at 6:56 p.m.

Commissioner Kay stated that she would like the following amendments added:

(c) DEFINITIONS

(4) Critical Root Zone

- "whichever is less." I believe should be changed to "whichever is more."

(8) Removal of Tree

- “reasonably expected to a cause a tree to die”
- this is purely my fault when typing up my recommendations
- “manner which may reasonably be expected to kill the tree.”

(d) REQUIREMENTS

(1) “Indiscriminate clearing or stripping of natural vegetation on a lot is expressly prohibited”

(5) “any specimen tree that is removed shall be replaced circumference-for-circumference (a ratio of one-to-one) regardless of the location of the specimen tree (e.g. the tree moved is within the building footprint).

(g) ONSITE TREE PROTECTION REQUIREMENTS

(5) “activities hazardous to the health of any protected tree being preserved are prohibited, including but not limited to the following:

- “grade changes. Grade changes (cut or fill) within the limits of the critical root zone.”
- “Utility encroachment. Installation of utilities and appurtenances within the drip line.”
- “Excavation and trenching. Excavation and trenching within the limits of the drip line.”

(h) INCENTIVES FOR RETAINING TREES

1. “the provisions of this Section apply to all new residential and Multi-family Development within the City of Kyle limits.”

2. (d) “match for the purposes of satisfying the requirements of the landscaping code.”

Commissioner Christie stated would like the following amendments added:

Combine the requirements of "indiscriminate clearing...and stripping of natural...." to read Natural Vegetation Clearing.

(a) - In the list of requirements the word "indiscriminate" should be removed - we do not define either term and it is open to interpretation. Clearing is defined very well in our definitions; indiscriminate can be interpreted as doing something without thought...a developer may argue that they did indeed think clearly about removing every last piece of natural vegetation and give us his reasons, thereby not being indiscriminate at all.

(a) - The requirements are not listed in the same order they appear in the requirements section of the ordinance...having them line up would make it easier to find the specific requirement. So in section (a) Purpose the requirements should be listed as:

- Natural Vegetation Clearing
- Removal/Mitigation of Trees
- Exceptions to Mitigation/Permits
- Tree Protection Standards on Construction Site
- Incentives for Retaining Trees
- Penalties

That is how they are written in the Requirements section.

(d) (1) First sentence should be changed to "Clearing of natural vegetation is expressly prohibited if it will cause the tree to decline and or die. (see definition of clearing)." This makes it consistent with our definition of clearing.

Commissioner Kay moved to approve an amendment to Article V – Landscaping and Screening Requirements to add Section 53-995 Tree Ordinance to the City of Kyle, Code of Ordinances including Commissioner's Christie and Kay's comments as discussed tonight. Commissioner Christie seconds the motion. All votes aye. Motion carried.

STAFF REPORT:

Request by the Economic Development Committee for a Joint Workshop.

Sofia Nelson, Director of Planning stated that the Economic Development Committee would like to have a Joint Workshop on April 25, 2013.

Reminder that the next Planning and Zoning Meeting will be held on April 9, 2013 instead of April 23, 2013.

Sofia Nelson, Director of Planning stated that the Planning and Zoning Commission will be meeting on April 9th in lieu of the April 23rd meeting.

Update on projects discussed at the Joint Workshop.

Sofia Nelson, Director of Planning stated that she will be emailing information from the Joint-work shop for the Commission's review.

ADJOURN

With no further business to discuss, Commissioner Fulton moved to adjourn. Chairman Ryan seconds the motion. All votes aye. Motion carried.

The Planning & Zoning Meeting adjourned at 7:09 p.m.

Amelia Sanchez, City Secretary

Dan Ryan, Chairman

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Sofia Nelson, Director of Planning
DATE: April 4, 2013
SUBJECT: Post Oak Phase 5A

BACKGROUND

Site Information and Proposal

The subject property is approximately 15.411 acres in size. The proposed subdivision is the next phase of construction for the Post Oak Subdivision and will consist of 72 single family lots. Construction will involve the extension of Langley, Goddard and Wallop Streets.

Utilities

Water and Wastewater service will be provided by the City of Kyle.

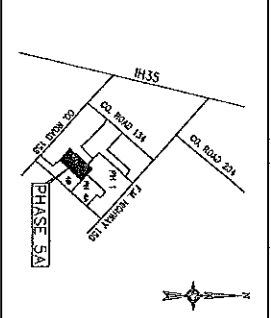
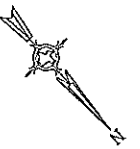
Parkland

The parkland requirements for this property are dictated by a development agreement approved for this subdivision. All parkland dedication requirements have been satisfied for the subdivision.

STAFF RECOMMENDATION:

Staff is recommending approval of the request for the following reasons:

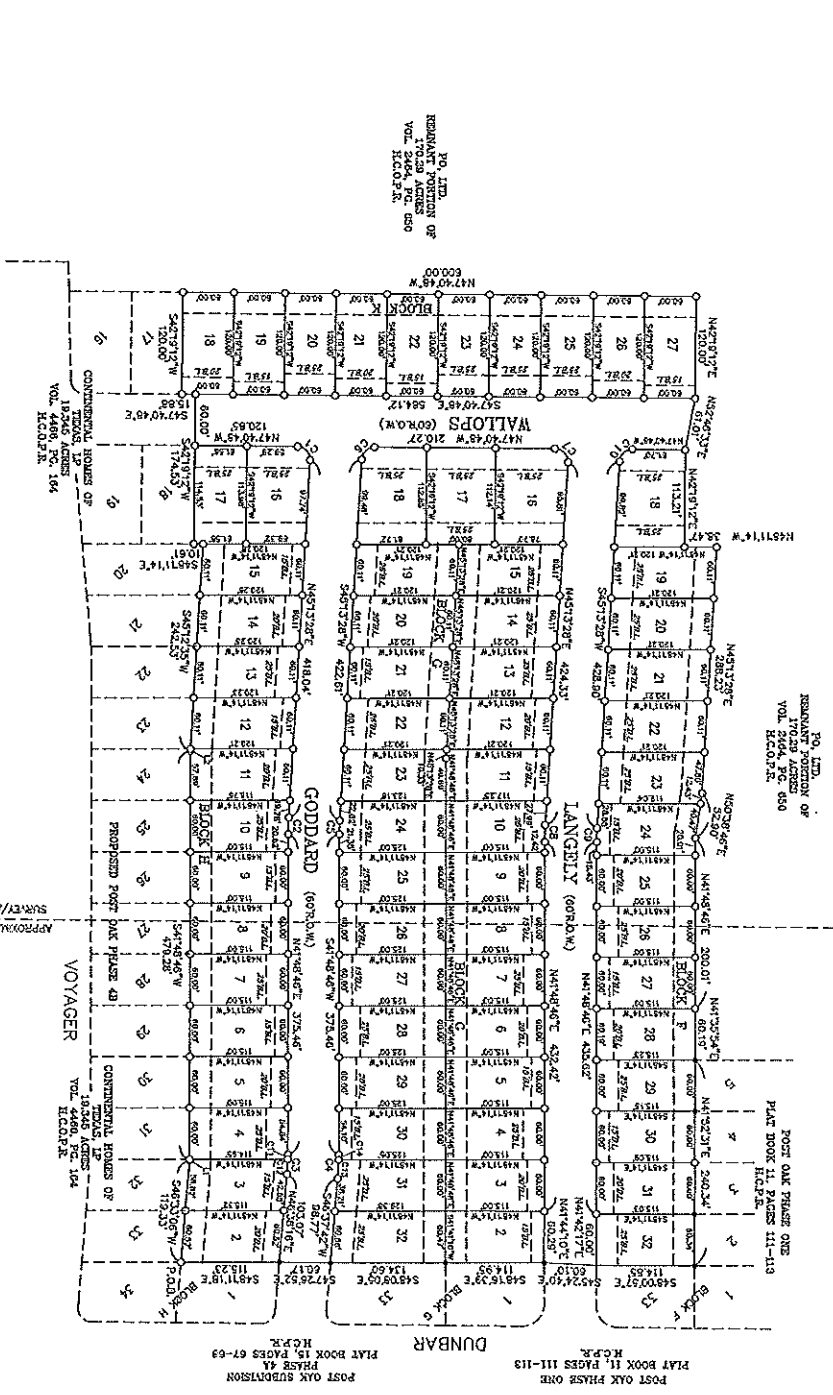
- The plat is consistent with all zoning requirements for the property.
- The proposed provision and configuration of roads, water, wastewater, drainage and easements and rights-of-way appear to be adequate and will be further reviewed prior to the approval of the final plat.



- LEGEND**
- 1/2" IRON ROD SET W/ CAP
 - STAINED DIAMOND SURVEYING
 - PLAT FOUND IRON ROD
 - PLAT FOUND PLAT EXEMPT
 - H.C.P.R. HAYS COUNTY DEED RECORDS
 - H.C.P.R. HAYS COUNTY PLAT RECORDS
 - H.C.P.R. HAYS COUNTY OFFICIAL PUBLIC RECORDS
 - PLAT POINT OF BEGINNING

FINAL PLAT POST OAK SUBDIVISION, PHASE 5A

15.411 ACRES, CITY OF KYLE, HAYS COUNTY, TEXAS

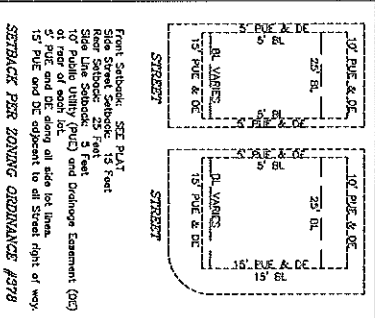


NO.	AREA	BEARING
1	1.39	S41.7424°W
2	2.11	S82.7233°W

NO.	AREA	BEARING	DISTANCE
1	1.39	S41.7424°W	21.72
2	2.11	S82.7233°W	19.62
3	2.72	S27.000°W	22.79
4	4.90	S27.000°W	27.80
5	3.74	S27.000°W	27.80
6	3.74	S27.000°W	27.80
7	3.74	S27.000°W	27.80
8	3.74	S27.000°W	27.80
9	3.74	S27.000°W	27.80
10	3.74	S27.000°W	27.80
11	3.74	S27.000°W	27.80
12	3.74	S27.000°W	27.80
13	3.74	S27.000°W	27.80
14	3.74	S27.000°W	27.80
15	3.74	S27.000°W	27.80
16	3.74	S27.000°W	27.80
17	3.74	S27.000°W	27.80
18	3.74	S27.000°W	27.80
19	3.74	S27.000°W	27.80
20	3.74	S27.000°W	27.80
21	3.74	S27.000°W	27.80
22	3.74	S27.000°W	27.80
23	3.74	S27.000°W	27.80
24	3.74	S27.000°W	27.80
25	3.74	S27.000°W	27.80
26	3.74	S27.000°W	27.80
27	3.74	S27.000°W	27.80
28	3.74	S27.000°W	27.80
29	3.74	S27.000°W	27.80
30	3.74	S27.000°W	27.80
31	3.74	S27.000°W	27.80
32	3.74	S27.000°W	27.80

TYPICAL LOT DETAILS

SCALE 1" = 50'



LOTS: 72 SINGLE FAMILY

AGE/AREA: 15.411

DEVELOPER: CONTINENTAL HOUSING OF TEXAS, LP
RICHARD MAIER, VICE PRESIDENT
10700 Pecan Park Blvd., Suite 400
AUSTIN, TEXAS 78750

ENGINEER: ALM ENGINEERING, INC.
2525 WALLINGWOOD DR.,
BUILDING 6, SUITE 600
AUSTIN, TEXAS 78746
(512) 457-0344

SURVEYOR: DIAMOND SURVEYING, INC.
116 SKITUNE ROAD
DREGETOWN, TX 78628
(512) 951-5100

ALM
ENGINEERING, INC.
2525 WALLINGWOOD DR.,
BUILDING 6, SUITE 600
AUSTIN, TEXAS 78746
FAX (512) 457-0345

FINAL PLAT
POST OAK SUBDIVISION,
PHASE 5A
15.411 ACRES
CITY OF KYLE, HAYS COUNTY, TEXAS
SHEET 1 OF 2

DIAMOND SURVEYING, INC.
188 SHELBY ROAD, GEORGETOWN, TX 78628
(512) 91-5100

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Sofia Nelson, Planning Director

DATE: April 4, 2013

SUBJECT: Site Development Permit-Kyle Heights Section 2 Lot 17

Summary of Request:

The subject property is located at 1101 Goforth, the northeast corner of Dacy Lane and Goforth Road. The property is zoned Retail Services (RS) and is platted as 3 separate lots. Lot 17A is approximately 2.86 acres in size and is the only lot being developed as part of this site plan. The applicant is proposing to develop lot 17A in 2 phases. Phase 1 will include all parking, landscaping and detention. Additionally, phase 1 will include the redesign of the existing metal building into a banquet/social facility that is to be used as a rental facility for different types of social events (i.e. weddings, dances, parties). Phase 2 will include the construction of two other buildings as shown on the site plan.

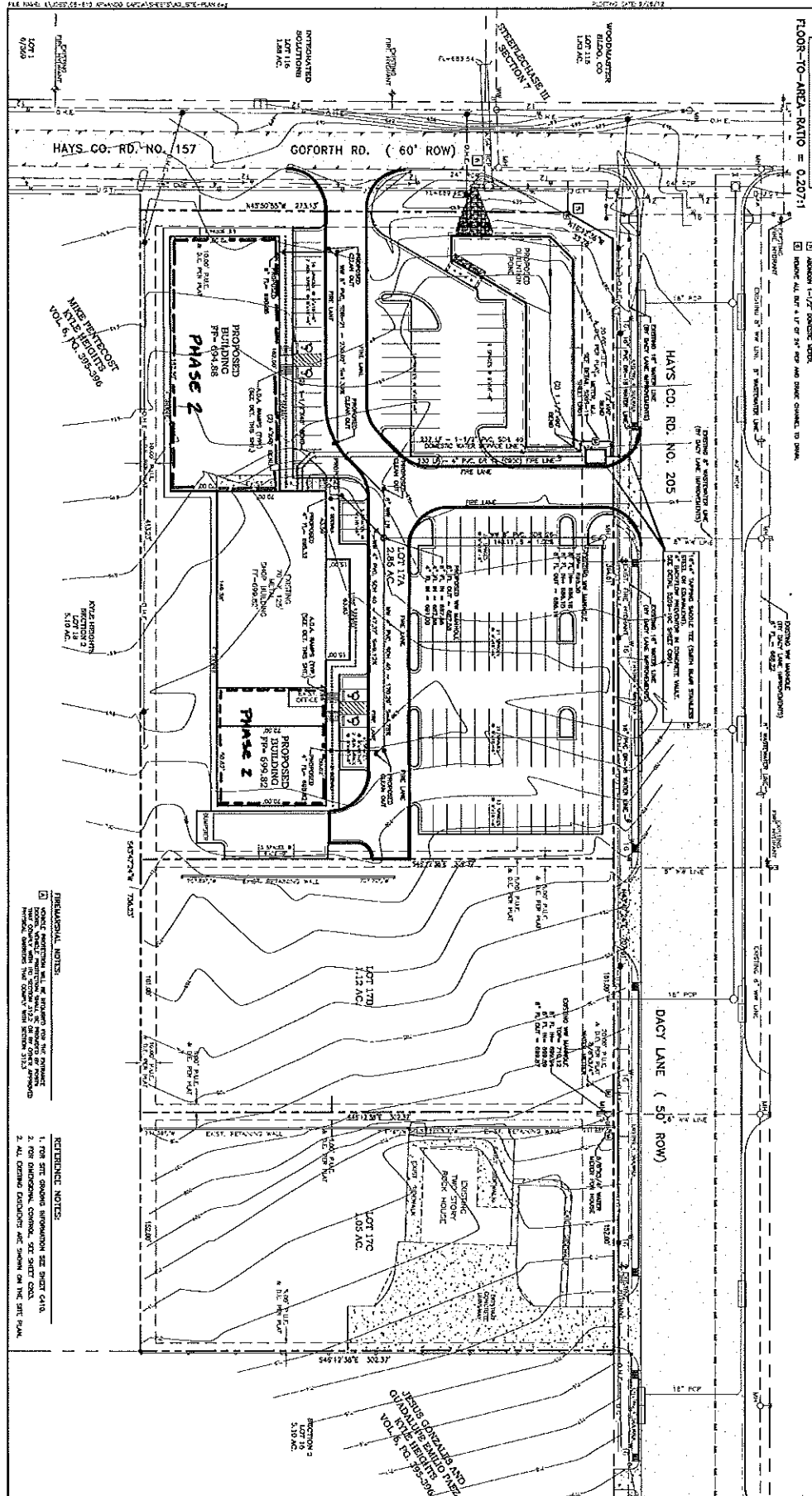
Purpose of Application:

A site development plan provides detailed graphic information indicating property boundaries, easements, land use, streets, utilities, drainage, off-street parking, lighting, landscaping, vehicle and pedestrian circulation, open spaces, and general conformance with the master plan and ordinances of the city.

STAFF ANALYSIS AND RECOMMENDATION

The proposed development fronts on Goforth and Dacy Lane and gains access off of both streets. The proposed development meets all zoning, landscaping and parking requirements outlined for the retail services zoning designation. The subject property is within the Goforth Overlay District and as result a conditional use permit request and staff report is also on this agenda.

Staff is recommending approval of the request.



PERVIOUS COVER SUMMARY - SITE

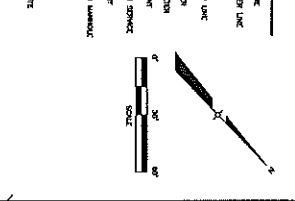
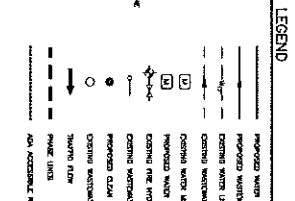
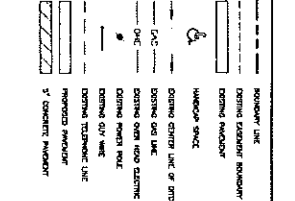
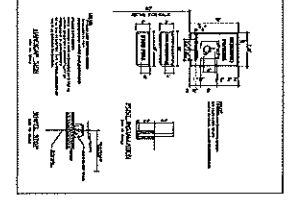
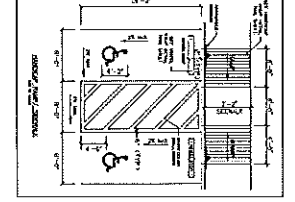
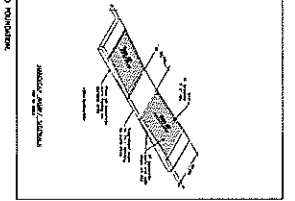
PERVIOUS COVER	14,417 SF (33% AC)
TOTAL SITE AREA (2.36 AC)	43,200 SF
TOTAL PAVED AREA (10,783 SF)	24,417 SF (56% AC)
TOTAL IMPERVIOUS COVER (10,783 SF)	24,417 SF (56% AC)
TOTAL LANDSCAPE AREA (12,417 SF)	28,800 SF (66% AC)
TOTAL PERVIOUS COVER (14,417 SF)	33% AC

PARKING SUMMARY:

TOTAL VEHICLE SPACES (133 SPACES)	133
TOTAL VEHICLE SPACES (133 SPACES)	133
TOTAL VEHICLE SPACES (133 SPACES)	133

FLOOR-TO-AREA-RATIO = 0.207:1

- CONSTRUCTION NOTES:**
- CONSTRUCT ALL UTILITIES WITH ALL NECESSARY PERMITS AND APPROVALS.
 - INSTALL CURB AND GUTTER TO MATCH EXISTING CURB TO GUTTER.
 - CONSTRUCT ALL UTILITIES TO MATCH EXISTING UTILITIES.
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PERVIOUS COVER SUMMARY - SITE

CONSTRUCTION NOTES:

REFERENCE NOTES:

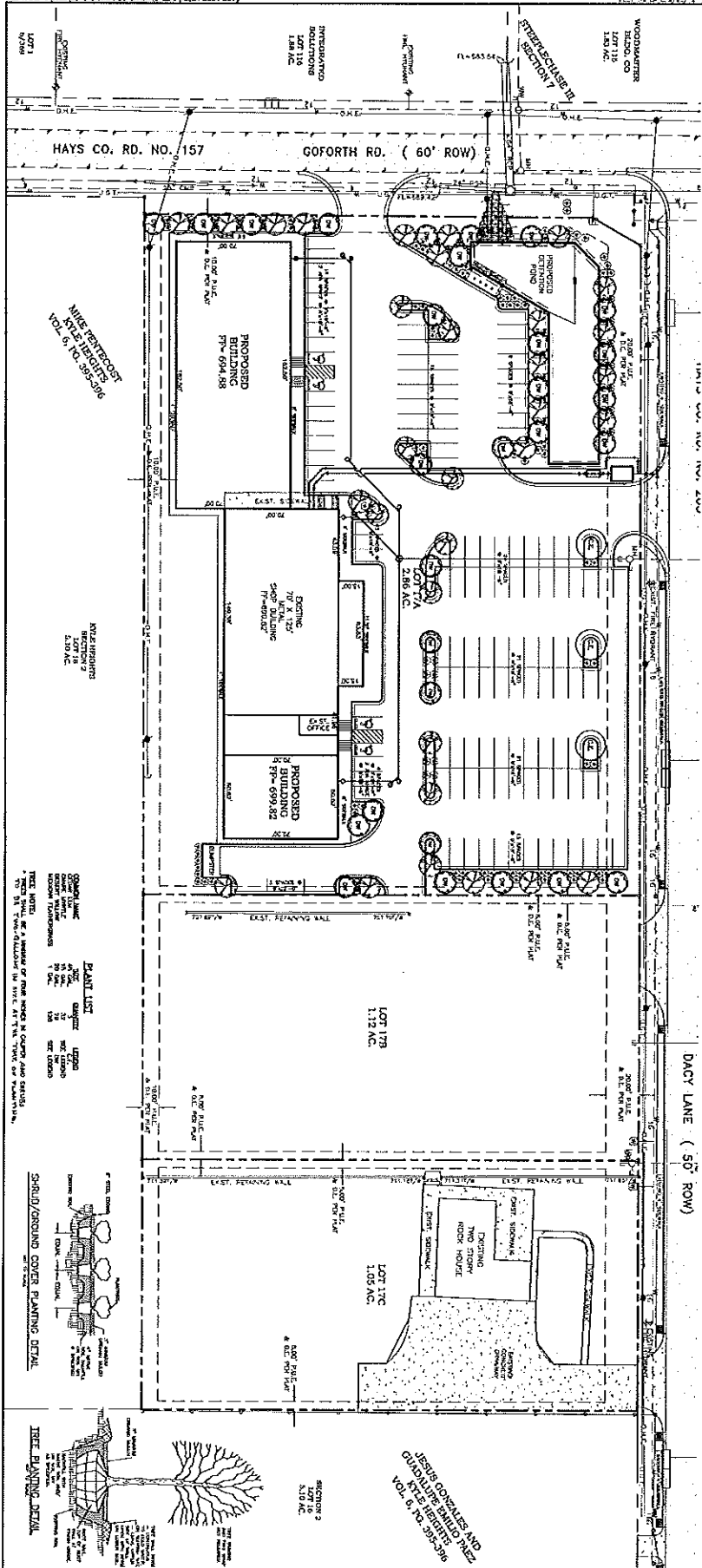
OWNER:
ARMANDO GARCIA
 1000 DACY LANE
 KYLE, TEXAS 78940
 (512) 677-6655

**SITE PLAN/
 UTILITY LAYOUT**
 LOT 17
 OF KYLE HEIGHTS, SECTION 2
 KYLE, TEXAS

4 CUATRO
 Consultants, LTD.
 Registered Professional Engineer
 State of Texas License No. 12522
 10000 Katy Freeway, Suite 200, Houston, TX 77059
 Tel: 281.461.4600 Fax: 281.461.4601



REVISION	DESCRIPTION	BY	DATE
1	ISSUED PER CITY OF KYLE	AG	12/31/23
2	COMMENTS DATED 12/27/23	AG	12/27/23
3	ISSUED PER CITY OF KYLE	AG	12/27/23
4	COMMENTS DATED 12/27/23	AG	12/27/23
5	ISSUED PER CITY OF KYLE	AG	12/27/23
6	COMMENTS DATED 12/27/23	AG	12/27/23
7	ISSUED PER CITY OF KYLE	AG	12/27/23
8	COMMENTS DATED 12/27/23	AG	12/27/23



LANDSCAPE CALCULATIONS: per Chapter 93, Article 4, The Texas Code of Agriculture

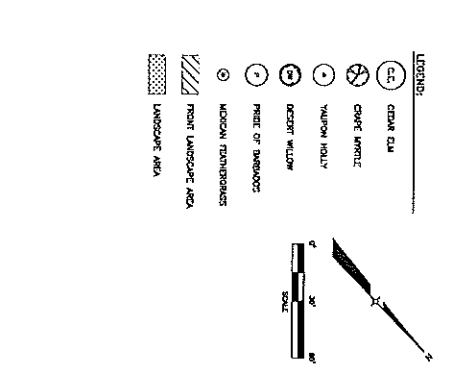
LANDSCAPE	QUANTITY	SIZE	TOTAL
TOTAL TREE LANDSCAPING AREA:	11 TREES	14.31 SQUARE FEET	157.41
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LANDSCAPE NOTES:

1. ALL LANDSCAPING SHALL BE INSTALLED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE MAINTAINED FOR A PERIOD OF 90 DAYS AFTER COMPLETION OF THE PROJECT.
2. ALL TREES SHALL BE PLANTED AT THE SPECIFIED SPACING AND SHALL BE MAINTAINED FOR A PERIOD OF 90 DAYS AFTER COMPLETION OF THE PROJECT.
3. ALL TREES SHALL BE PLANTED AT THE SPECIFIED SPACING AND SHALL BE MAINTAINED FOR A PERIOD OF 90 DAYS AFTER COMPLETION OF THE PROJECT.
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10. ALL TREES SHALL BE PLANTED AT THE SPECIFIED SPACING AND SHALL BE MAINTAINED FOR A PERIOD OF 90 DAYS AFTER COMPLETION OF THE PROJECT.

LANDSCAPE CALCULATIONS: per Chapter 93, Article 4, The Texas Code of Agriculture

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OWNER:
ARMANDO GARCIA
 1000 DACY LANE
 KYLE, TEXAS 78640
 (512) 677-6655

DATE: JANUARY 2010

PROJECT: LOT 17 LANDSCAPE PLAN

DESIGNER: CUATRO CONSULTANTS LTD.

SCALE: 1" = 10'

PROJECT NO.: 1100

LANDSCAPE PLAN

LOT 17
OF KYLE HEIGHTS, SECTION 2
KYLE, TEXAS

CUATRO
 CONSULTANTS LTD.

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECTS

1000 DACY LANE, SUITE 100, KYLE, TEXAS 78640

PH: 512-677-6655 FAX: 512-677-6656

REVISION	DESCRIPTION	BY	DATE

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Sofia Nelson, Planning Director

DATE: April 4, 2013

SUBJECT: CONDITIONAL USE OVERLAY
1101 Goforth Road

Purpose of Application

The purpose of the overlay districts is to maintain a high character and quality of community development, to promote compatible uses and standards, to preserve and enhance property values, to promote economic growth, to provide for orderly development, to provide for proper movement of traffic, and to secure the general safety of citizens by regulating the exterior architectural characteristics of structures and the characteristics of the property as a whole throughout each of the conditional use overlay districts. The purpose of this application shall be served by the regulation of exterior design, use of materials, the finish grade line, ingress and egress, and landscaping and orientation of all structures hereinafter altered, constructed, reconstructed, reacted, enlarged, remodeled, removed, or demolished.

Background

Request:

The subject property is located at 1101 Goforth Road and is currently occupied by a 70'X 125' metal building. The proposed improvements to the site would be to retain the existing metal building and update the building to be used as a banquet/social facility that is to be used as a rental facility for different types of social events (i.e. weddings, dances, parties). A rendering of the proposed construction is attached to this staff report and includes a stucco exterior with stone veneer accents on the building columns and a wainscoting of brick veneer as well. Additionally, the color renderings of the proposal show metal roofing to be used throughout the new development. The proposal shows the rear of the building (east elevation) to include a walkway with decorative columns and the same stucco finish that is used on the front of the building. The proposed site plan is also on the agenda for your review and shows two proposed buildings on either side of the existing building to be constructed in phase 2 of the site work.

Location:

The site is located at 1101 Goforth Road (at the northeast corner of Goforth and Dacy Lane).

Overlay District

The Goforth Road Conditional Use Overlay District extends from the intersection of Goforth Road and IH-35 on the west to the city limits boundary on the north and east and includes all real property within four hundred feet of the outer most edge of the street right-of-way of Goforth Road.

COMPREHENSIVE MASTER PLAN GUIDANCE

The Comprehensive Master Plan identifies the site to be located within the New Town and Super Regional Future Land Use Districts. Additionally, the Urban Design Plan identifies the property to be located within the urban core and Goforth is identified as a core linkage, connecting residential neighborhoods to commercial core area of the City. As a core linkage the urban design plan identifies that development should include the following:

- Maintain continuity in the general use of materials within any block.
- Maintain continuity in the use of building mounted premise signs (the use of mast signs over the sidewalk space are preferred).
- Make every effort to expand the sidewalk pedestrian space with outdoor restaurants or other gathering space for sales or display.
- Promote vertical mixed land uses where possible, with retail dominating the first floor.
- Maintain a build-to line (and street wall) that is located at the edge of the sidewalk space and place parking behind buildings.

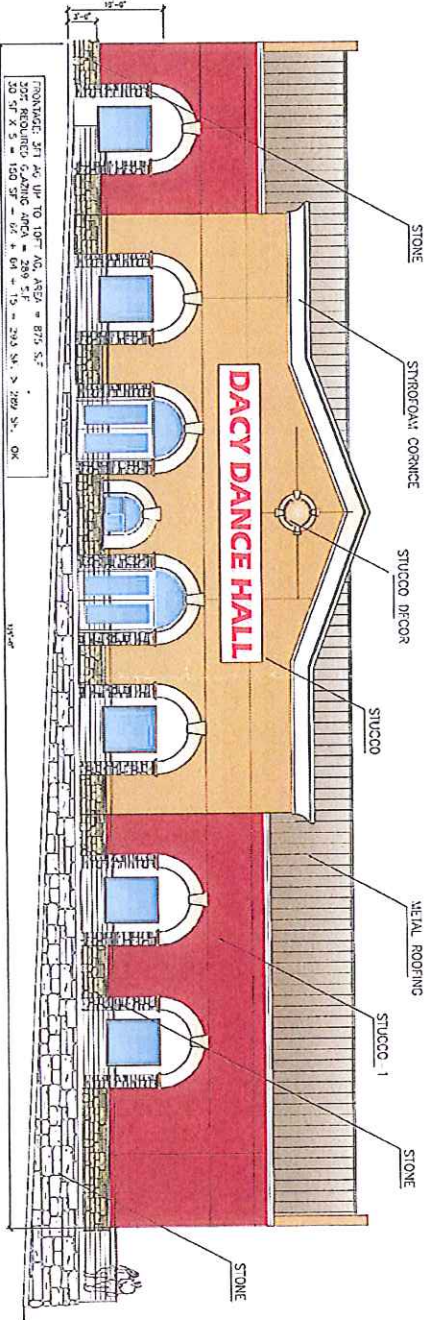
STAFF ANALYSIS AND RECOMMENDATION

Staff has reviewed the request and has made the following findings and recommendation:

- The proposed improvements appear to promote the development of Dacy Lane as a commercial corridor.
- It appears to preserve and enhance property values, provide for orderly development, provide for proper movement of traffic
- Due to the current zoning setback requirements the site is unable to create the desired build-to-line/ street wall recommended in the comprehensive master plan-urban design plan.
- The proposed development will utilize the same materials around all four sides of the building
- Staff is recommending approval.

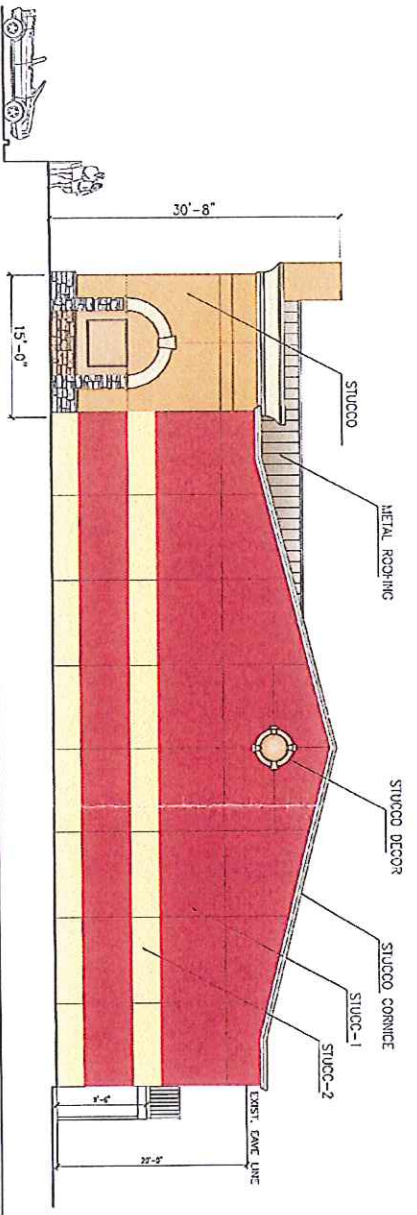
FRONTAGE 371' 0" UP TO 100' AG. AREA = 875 S.F.
 200' REQUIRED CASHING AREA = 288 S.F.
 30 S.F. X 5 = 150 S.F. = 62' X 64' = 15 = 203 S.F. > 288 S.F. OK
 MAX. SIDE ALLOWANCE: 15' X 120' X 100' = 180 S.F. OF STORAGE ON BUILDING.
 PROPOSED SIDE ROAD: 31'-0" X 4'-0" = 124 S.F. < 180 S.F. OK

DACY DANCE HALL



1 WEST ELEVATION

3/16" = 1'-0"



2 SOUTH ELEVATION

3/16" = 1'-0"

PRELIMINARY

A-2.0

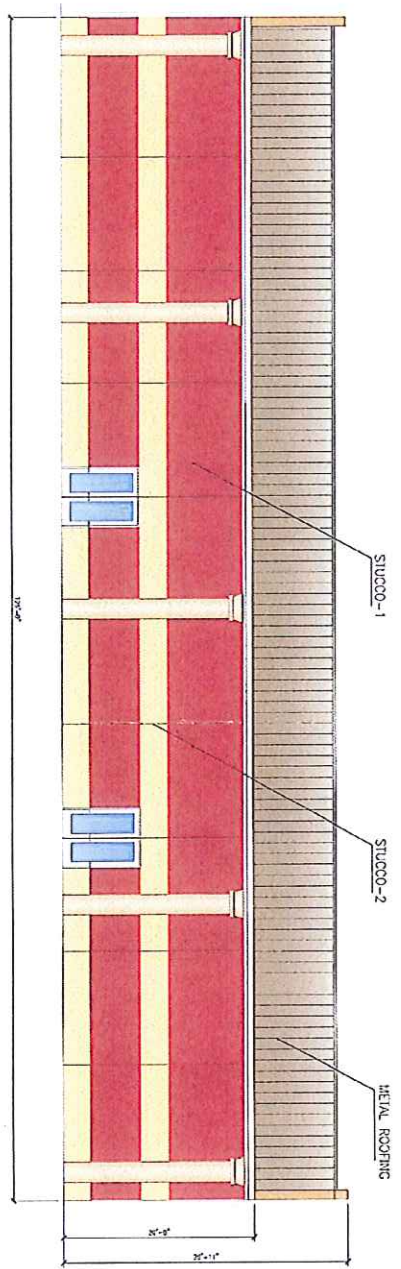
DACY DANCE HALL
 RENOVATION OF EXISTING BUILDING
 1100 DACY LANE
 KYLE, TX

PROJECT NO. 12-2018
 DATE 11/17/18
 SHEET NO. 12-2018

JOHN A. JOHNSON
 STATE OF TEXAS
 LICENSE NO. 11571

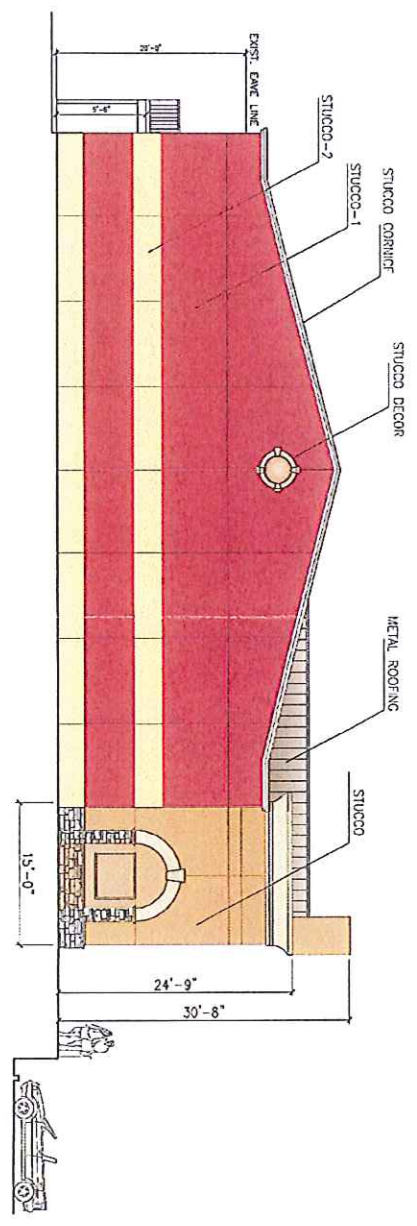
STUDENT: DEBRAH
 OWNER:
 CONSULTANT:
 SCALE: AS SHOWN
 REVISIONS:

JOHN ARCHITECTS
 2022 W. 11TH ST.
 AUSTIN, TEXAS 78704
 TEL: 512.476.1111
 FAX: 512.476.1112
 WWW.JOHNARCHITECTS.COM



1 EAST ELEVATION

3/16" = 1'-0"



2 NORTH ELEVATION

3/16" = 1'-0"

PRELIMINARY

A-2-1

TOHRI ARCHITECTS
 ARCHITECTS
 1000 DACY LANE
 KYLE, TX 78140
 TEL: 281.340.1111
 WWW.TOHIRIARCHITECTS.COM

DATE: 08/20/2014
 PROJECT: DACY DANCE HALL
 SHEET: A-2-1

PROFESSIONAL SEAL
 ARCHITECT
 STATE OF TEXAS
 NO. 12345
 EXPIRES: 08/20/2016

DACY DANCE HALL
 RENOVATION OF EXISTING BUILDING
 1000 DACY LANE
 KYLE, TX
 PROJECT NO. 1000 DACY LANE
 SHEET NO. A-2-1

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Sofia Nelson, Planning Director

DATE: April 3, 2013

SUBJECT: **CONDITIONAL USE OVERLAY- Mitchell Family Motor Trikes
21701 N. IH-35**

Background

Request:

The applicant is requesting approval of a Conditional Use permit for the use of a site located at 21701 N. I-35, within the I-35 overlay district, for the outdoor sale of vehicles- specifically a Motor Trike dealership. With the passing of the development standards for the I-35 Overlay district outdoor sale of motor vehicles is identified as a conditional use requiring the approval of a conditional use permit.

Location:

The subject property is located at 21701 N. I-35 (located north of the I-35 and Goforth intersection and just south of the AMCO repair facility).

Overlay District

The Interstate Highway 35 corridor conditional use overlay district extends from the northernmost city limit boundary at I-35 to the southernmost city limit boundary at I-35, and includes all real property within 1,500 feet of the outer most edge of the highway right-of-way of I-35.

a) The purpose of the of the overlay district is to maintain a high character and quality of community development, to promote compatible uses and standards, to preserve and enhance property values, to promote economic growth, to provide for orderly development, to provide for proper movement of traffic, and to secure the general safety of citizens by regulating the exterior architectural characteristics of structures

(b)The conditional use overlay districts will assist the community to recognize and preserve the distinctive architectural character of this community, which has been greatly influenced by the architecture of an earlier period in this community's history. This purpose shall be served by the regulation of exterior design, use of materials, the finish grade line, ingress and egress, and landscaping and orientation of all structures hereinafter altered, constructed, reconstructed, reacted, enlarged, remodeled, removed, or demolished in the conditional use overlay district.

STAFF ANALYSIS AND RECOMMENDATION

COMPREHENSIVE MASTER PLAN GUIDENCE

The Comprehensive Master Plan identifies the site to be located within the Core Area Transition. The Comprehensive Master characterizes the future land use District as follows:

- The built fabric should display a transition from the small scale grid pattern of Downtown to the large plate design of the Super Regional Node.
- As this District develops, it should serve to create a consistent fabric that links Downtown and the Super Regional Node, encouraging the expansion and strengthening of Kyle's core.
- The Core Area Transition District currently consists primarily of commercial and light industrial uses, with some residential uses. Key defining features include Old Highway 81, North Burleson Street, I-35 and frontage roads, and the railroad. This District is important as a transitional zone between largely residential areas and the commercial uses along I-35 and as a portion of Kyle that is visually significant to travelers along I-35.

The Urban Design Plan identifies the stretch of I-35 the subject property fronts on to be located in the urban core along the destination segment of I-35. The Urban Design Plan states the following:

The Interstate 35 Destination is that portion of I-35 lying between the FM 1626 overpass and the Center Street overpass. This portion of I-35 is identified as a unique section in order to transform the freeway experience from one of passing through to one of arrival. Therefore the Destination section of I-35 has an appearance that is dramatically different than those portions north of FM 1626 or south of Center Street.

Location:

Generally located between two of Kyle's four landmark bridges (at the FM 1626 overpass and the Center Street overpass). This section of I-35 is clearly defined with a bridge portal at both ends and high embankments along its length.

Primary Function:

To transform the normal pass-through experience of the Interstate to an arrival experience and make sections of I-35 north of FM 1626 and south of Center Street function as approachways.

Purpose of Application

The Planning and Zoning Commission will determine through the conditional use permit process if the proposed use will promote, preserve, and enhance, and will not damage or detract from the distinctive character of the community; will preserve and protect property values and taxable values; will not be detrimental or inconsistent with neighboring uses and occupancies; will not be detrimental to the general interests of the citizens; and will not be detrimental to the public health, safety and welfare. Since the proposed use of the site is identified as a conditional use, approval of the use must be in place prior to the property owner submitting a site development plan.

Staff Analysis

The applicant has identified the hours of operation will generally be Monday through Friday 9am to 5pm and Saturday's 10am to 3pm. All motor vehicles will be stored outside only during business hours and moved inside the proposed facility during non-business hours.

Attached to the staff report are preliminary site plans and building elevations for the proposed development to give you an overall perspective of the proposed development. Staff has preliminarily reviewed the attachments and has expressed to the applicant areas of the site and building proposals that need to be amended to meet the requirements of the I-35 Overlay (these area include materials, sidewalks, landscaping and some architectural requirements). Staff has reviewed the request for a conditional use permit and has made the following findings based on the applicant fully complying with the I-35 Overlay District and all motor vehicles moved in daily:

- It does not appear the use will damage or detract from the distinctive character of the future land use district or the I-35 Overlay District
- It does not appear the use will be detrimental or inconsistent with neighboring uses and occupancies,
- It does not appear the use will be detrimental to the general interests of the citizens and will not be detrimental to the public health, safety and welfare.

Staff is recommending approval of the request conditional on full compliance with the I-35 Overlay development standards.

BUILDING INFORMATION

CONSTRUCTION TYPE 1A
ASSEMBLY GROUP B

BUILDING OWNER
MITCHELL FAMILY MOTORSPORTS

LOCATION
21701 N IH 35
KYLE, TX 78640

LEGAL DESCRIPTION
A0220 Z HINTON SURVEY
ACRES 2.24
HAYESGARD NUMBER R14791

ZONING
R15 (RETAIL/SERVICE)

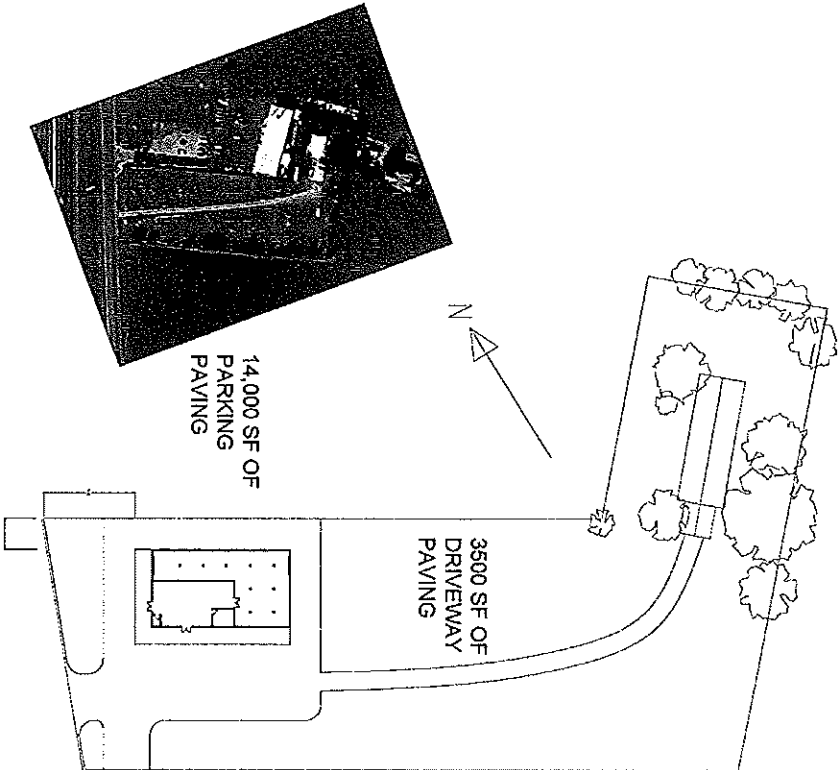
CONDITIONED AREA CALCULATIONS:

OFFICE 164
WC 44
SHOWROOM 1971

UNCONDITIONED SPACE CALCULATIONS

SERVICE 2745

TOTAL CONDITIONED AREA: 1469
TOTAL UNCONDITIONED: 2745
TOTAL STORAGE: XXX
TOTAL UNDER WINGING: 1691
TOTAL SLAB: 8519



BULL

DESIGN
+
BUILD

LLC

113 BRINE DR.
AUSTIN, TEXAS 78718
512.243.4182
cory@bullllc.com

DATE: 03/25/2013
SCALE: 1/32" = 1'
REVISIONS:

MITCHELL MOTORSPORTS
21701 N IH 35
KYLE, TEXAS 78640

PRELIM SITE

C-1

